State of California
DEPARTMENT OF TRANSPORTATION

Business, Transportation and Housing Agency

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: May 21-22, 2003

Reference No.: 2.2b.
Action Item

From: ROBERT L. GARCIA
Chief Financial Officer

Prepared by: Gary R. Winters
Division Chief
Environmental Analysis

Ref: **SUMMARY – DRAFT ENVIRONMENTAL IMPACT REPORT, STATE ROUTE 46 IN SAN LUIS OBISPO COUNTY – WIDEN ROUTE 46 TO A FOUR-LANE EXPRESSWAY NEAR PASO ROBLES**

ISSUE:

The California Transportation Commission is being asked to review and comment at the May 2003 meeting on the following Draft Environmental Impact Report (DEIR):

- Route 46 Corridor Improvement Project, KP 51.8/90.6 (PM 32.2/56.3). Widen Route 46 to a four-lane expressway near Paso Robles.

PROGRAMMING:

State Transportation Improvement Program (STIP) technical correction G-02-16 defines PPNO 0226A and PPNO 0227 as part of the Route 46 corridor. The Federal Highway Administration requires that these be combined in a single environmental document.

PPNO 0226A is programmed in the 2002 STIP with a total cost of $110,458,000, where $41,330,000 is from the Interregional Improvement Program (IIP) and $29,667,000 is from the Regional Improvement Program (RIP). The remaining, unfunded $39,461,000 will be programmed for the final segment when funds become available. The $70,997,000 currently programmed is sufficient to construct a viable and substantial segment of the project. Construction is scheduled for Fiscal Year (FY) 2004/05.

PPNO 0227 is programmed in the 2002 STIP with $10,000,000 of RIP funds for project development. The estimated cost of the project is $85,935,000. It is anticipated that $6,000,000 for right-of-way and $69,935,000 for construction will be funded in the 2006 and/or the 2008 STIP.

ALTERNATIVES BEING CONSIDERED:

- No-Build.
- Build – Widening to a four-lane divided expressway with a separated grade interchange at eastern end of project. Several alternatives exist within four different sections of the project.

POTENTIAL SIGNIFICANT ENVIRONMENTAL EFFECTS:

- The CEQA determination found that impacts to San Joaquin kit fox from the proposed project could be potentially significant. However, intensive coordination has been ongoing with the United States Fish and Wildlife Service and the California Department of Fish and Game to develop acceptable mitigation to reduce impacts.

PROPOSED MEASURES TO MINIMIZE HARM:

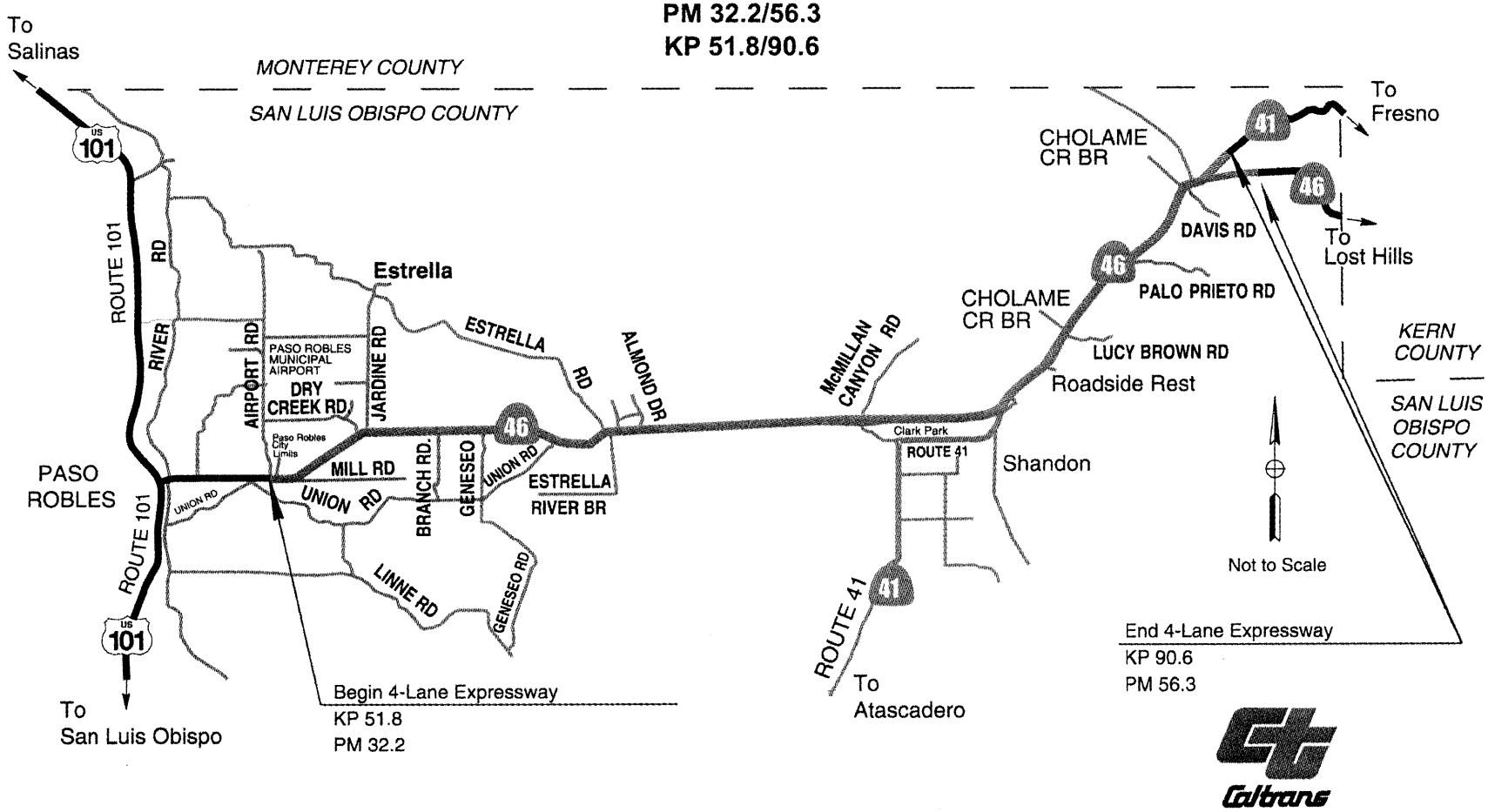
- On-site mitigation of habitat impacts by removing abandoned road segments
- Best management practices to minimize harm during construction, such as pre-disturbance surveys, Environmentally Sensitive Area (ESA) fencing, and seasonal restrictions on disturbance
- Culverts for wildlife passage would be placed throughout project limits to minimize impacts to movement
- Placement of drift fencing to direct movements of kit fox to wildlife passage culverts to prevent vehicle strikes
- Compensatory mitigation by purchasing and enhancing existing habitat for preservation outright or by purchasing a conservation easement on suitable habitat

Attachment(s)

Project Location Map

Route 46 Corridor Improvement Project

PM 32.2/56.3
KP 51.8/90.6



Summary

This Environmental Assessment/Draft Environmental Impact Report (EA/DEIR) assesses the potential environmental impacts of constructing and operating the Route 46 Corridor Improvement Project. The purpose of the proposed project is to minimize fatal accidents, improve safety, and reduce congestion on State Route 46 between Paso Robles and Cholame, a critical east-west corridor connecting the Central Coast and Central Valley areas of California. The project limits are from Airport Road, just east of Paso Robles (KP 51.8, PM 32.2) to the eastern most junction of State Routes 46 and 41 (KP 90.0, PM 56.3), commonly known as the "Wye", a distance of approximately 38.8 kilometers (24.1 miles). The new roadway would be a four-lane, access controlled, divided expressway. It would be constructed mostly on the existing alignment with a few alternatives proposing sections of the new expressway on new alignments. Right of way would be purchased throughout the entire project.

The overall accident rate on this segment of State Route 46 is below the statewide average. One intersection, however, is higher than the statewide average. This intersection exceeds the statewide average by more than three times. Traffic, through the project area, averages 12,500 vehicles per day and is expected to increase to 20,800 vehicles per day by the year 2025. Currently, the peak hour Level of Service (LOS) is a substandard "E". Without the project, it is forecast to decrease to "F" by 2025; with the construction of a four-lane divided expressway, it is expected to be "C" by 2025.

The alternatives proposed for this project include the build alternatives and the no-build alternative. Because of the length of this project and the common elements in different portions of the project, the project and the build alternatives have been arranged into four sections. The four sections and their limits for the project include:

Estrella Section---------- Kilopost 51.8 to 66.3 (Postmile 32.2 to 41.2)

Shandon Section ---------- Kilopost 66.3 to 80.8 (Postmile 41.2 to 50.2)

Cholame Section---------- Kilopost 80.8 to 88.1 (Postmile 50.2 to 54.8)

Wye Section ---------- Kilopost 88.1 to 90.6 (Postmile 54.8 to 56.3)

The Estrella, Shandon, and Cholame sections each have two build alternatives for comparison. The Wye section has six build alternatives to compare. The build alternatives within each section have their own numbering system. Each alternative within each section can link together with any other build alternative in an adjoining section. Thus, a build alternative can be selected for each section unless the preferred alternative by a decision-maker is the no-build. Only the no-build alternative applies to the entire project. The no-build alternative cannot be preferred if any of the build alternatives are preferred in any of the four sections.

Thc numbering system and naming convention for the build alternatives are as follows:

Estrella Section, Alternative 8N & Estrella Section, Alternative 9N
Shandon Section, Alternative 1 & Shandon Section, Alternative 2

Cholame Section, Alternative 1 & Cholame Section, Alternative 2
Wye Section, Alternative 4; Wye Section, Alternative 5; Wye Section, Alternative 7;
Wye Section, Alternative 8; Wye Section, Alternative 8b & Wye Section, Alternative 9

General Setting

The environmental setting is a portion of unincorporated northeastern San Luis Obispo County, just east of the city of Paso Robles. The project corridor is an east-west path beginning near the city of Paso Robles, extending through the Estrella River area, the Shandon area and ending in the Cholame Valley. The surrounding area is characterized by rolling hills and mountainous terrain. The land use is predominantly agricultural (vineyards) and grazing, with some limited rural residential spread throughout and two small communities, Whitley Gardens near the western end of the project and Shandon near the center of the project area.

The project area has a great diversity of plant communities, including: Central Coast Scrub, Serpentine Scrub, Coast Live Oak Woodland, Central Coast Live Oak Riparian Forest, Central Coast Riparian Scrub, Sycamore Alluvial Woodland, and Central Coast Cottonwood-Sycamore Riparian Forest, in addition to vast areas of non-native grassland. The proportion of oaks to grassland decreases as one moves east through the project area with the majority of the oak woodlands occurring west of Shandon. Portions of these plant communities have been substantially impacted by human influence.

Activities such as grape production for winemaking, farming, and livestock grazing have modified much of the wildlife habitat within the vicinity of State Route 46. Habitat quality for most mammalian and reptilian wildlife in the western portion of the project area is generally considered to be poor, but improves going east through the project area. Habitat quality in the Cholame and Wye sections is generally good for most mammals, reptiles, and avian species. Certain features such as Cholame Creek, Cholame valley, and the large alkali salt flat in the Wye section offer unique habitat that specialized plant species are dependent upon for survival.

The project area is rich in cultural history. The Wye area has long been a junction where different Native American tribes have met to trade goods from their respective areas. Coastal tribes met with valley tribes and the tribes of the Sierra Nevada to exchange food, materials for tools, and ceremonial pieces. The project area is mostly rural except for the two communities mentioned above and other smaller communities such as at Vintage Hills Way in the Estrella Section of the project.

Many utilities are located adjacent to or near the existing highway. Underground pipelines are used to transport various petroleum products such as oil and gas, jet fuel, and to house fiber optic cables. Above ground lines, including telephone and electrical, are also present.

Potential Impacts

The most important potential environmental impacts from the proposed project are in the areas of biological resources. Potential biological impacts would result mainly from the construction of the build alternatives. This would require the acquisition and disturbance of land throughout the entire length of the project. Some of this land includes habitat for threatened and endangered species and

wetlands. No impacts to any publicly owned parks or recreation areas, wildlife refuges, or historic sites of national significance[1] by any of the build alternatives were identified.

Potential impacts to wetlands and waters of the U.S. include the removal of wetland habitats, alteration of wetland hydrology, and changes in wetland species composition. Depending on the combination of alternatives selected, construction of the project would permanently impact as little as 1.97 hectares (4.87 acres) or as much as 4.63 hectares (11.44 acres) of wetlands and other waters (combined), as defined by the U.S. Army Corps of Engineers. Positive impacts to wetlands resulting from any of the Wye section build alternatives include the reconnection and restoration of previously fragmented wetland areas. This would improve both the function and value of the wetlands in the Wye area. The CEQA determination found that no significant impacts would result from any of the build alternatives to jurisdictional wetlands and waters of the U.S.

Principal impacts to special status wildlife species include habitat loss for the San Joaquin kit fox, western spadefoot toad, southwestern pond turtle, San Joaquin coachwhip, California horned lizard, western burrowing owl, mountain plover, California horned lark, grasshopper sparrow, Tulare grasshopper mouse, San Joaquin pocket mouse, and 6 species of bats. In addition to habitat and potential habitat impacts, the proposed project would increase the barrier to migration effect of the highway, which would result in an impact to the migration of some of these species.

Impacts to special status plant species and special status plant communities include impacts to crownscale, gypsum-loving larkspur, valley sink scrub, and Fremont cottonwood woodland. In addition, blue oak woodlands, primarily in the Estrella section, would be affected by any of the build alternatives. Both Estrella section Alternatives 8N and 9N would remove approximately 1.43 hectares (3.53 acres) of blue oak woodland. Approximately 236 blue oaks would be removed as a result of the construction of either Estrella section alternative (8N or 9N).

Farmland would be taken under all of the build alternatives. One property would have its acreage reduced below the minimum threshold for reestablishing a Williamson Act Contract. The combination of build alternatives to be chosen for the preferred alternative would determine the final acreage impacts to designated farmland. However, the CEQA determination found that no significant impacts to farmland would result from the proposed project.

Each of the build alternatives in the Estrella and Cholame sections would displace residences. Four residences would be displaced with Estrella Section, Alternative 8N; six would be displaced with Estrella Section, Alternative 9N. One residence would be displaced with both of the Cholame alternatives. Adequate relocation resources exist within the project area for the displaced residents. No residents would be displaced with construction of any of the Shandon or Wye section alternatives. All of the build alternatives would improve access, circulation, emergency response time, and are expected to reduce accident rates. The CEQA determination found that no significant impacts to communities would result from the proposed project.

Under any of the proposed alternatives, roadway features such as bridges, cuts, and fills would be noticeable in the visual landscape. Areas of interest include the proposed Estrella River bridges, the large cuts in the Estrella grade area, the Wye section (separated grade interchange), and the wildlife

[1] These resources are considered Section 4(f) resources as defined in the Department of Transportation Act.

overcrossing structure in the Wye section. The CEQA determination found that no significant visual impacts would result from the construction of the proposed build alternatives.

Although prehistoric sites were found in the vicinity of the proposed project, the project design team was successful in avoiding any impacts to those resources. No historic or architectural historic properties exist within the area of potential effect for the project. On April 3, 2002, the State Historic Preservation Officer (SHPO) concurred with the findings presented in the technical studies. The SHPO identified a concern for possible impacts to buried prehistoric sites. Additional studies would be conducted before the release of the Final Environmental Impact Report. Mitigation has been incorporated into the project in the event that a buried prehistoric site is disturbed during construction.

The potential for encountering paleontology resources is low throughout most of the project. Some specific areas of the project, however, are rated as high probability of encountering paleontology resources. For these areas, additional studies by a professional paleontologist would be conducted after the selection of the preferred alternative to determine the likelihood of encountering these resources. Procedures for handling resources discovered during construction are provided in the Paleontology Resources section.

None of the alternatives showed a predicted increase in the base flood elevation, and impacts were determined to be minimal. Current problems associated with flooding in the Wye section would be improved with any of the proposed alternatives. The proposed alternatives do not propose development that conflicts with the function of the natural floodplain. The CEQA determination found that no significant floodplain impacts would result from any of the build alternatives.

The two main receiving surface bodies of water for the project area are the Estrella River and Cholame Creek. Impacts from the proposed alternatives would primarily be related to the increase in the amount of impervious surface and an increase in sources of pollutants. Increased amounts of storm water runoff could degrade water quality if best management practices are not implemented. Temporary impacts to water quality during construction of the project would be possible as well but with compliance with Caltrans' National Pollutant Discharge Elimination System permit, implementing best management practices, and coordinating with the Regional Water Quality Control Board, potential impacts would be minimized to the maximum extent practicable. The CEQA determination found that no significant impacts to water quality would result from any of the build alternatives.

Hazardous waste impacts were determined to be minimal under all of the build alternatives. No hazardous waste sites were found during preliminary investigations and special provisions would be included in the construction package for dealing with any hazardous spills or hazardous materials encountered during construction. The highest probability of encountering hazardous materials during construction would be during the utility relocation phase, specifically pipeline relocation. All of the build alternatives in the Shandon, Cholame, and Wye sections would require the relocation of existing underground pipelines. The CEQA determination found that no significant impacts with regards to hazardous waste would result from any of the proposed build alternatives.

San Luis Obispo County is in the South Central Coast Air Basin (SCCAB). The San Luis Obispo Air Pollution Control District (SLOAPCD) which regulates air quality in San Luis Obispo County is in attainment for all federal ambient air quality standards; therefore, no State Implementation Plan (SIP) conformity is required for the project. The SLOAPCD is non-attainment for state ambient air quality standards for ozone and PM_{10} (fine particulate matter less than 10 microns in diameter). For any of the build alternatives, construction of the project is expected to result in short-term impacts to air quality. The CEQA determination found that these are expected to be less than significant with the use of Best Management Practices and through the use of post-combustion emission control devices on construction equipment. It has been determined after conducting the air quality analysis that, under CEQA, no significant impacts to air quality would result from any of the build alternatives.

Noise analysis found that background noise levels, measured at sensitive receptors along the corridor, ranged from a low of 54 decibels to a high of 73 decibels during peak hour traffic. Noise abatement for sensitive receptors would be considered when noise levels approach or exceed 67 decibels. One earthen berm and one soundwall are being proposed to reduce noise levels. Under any of the build alternatives, no receptor had greater than a 12 decibel increase above the existing background levels. Therefore, under CEQA, no significant impacts with regards to noise would result from any of the build alternatives.

Cumulative and growth inducing impacts would be similar for all build alternatives. Due to the limited access of the expressway, none of the alternatives would encourage unplanned growth. Growth in the rural areas would be limited by the lack of adequate infrastructure (water and sewer). The proposed project would contribute to cumulative impacts in the areas of noise, farmland conversion, and habitat loss, but no substantial cumulative or growth inducing impacts would result from the construction of any of the build alternatives.

Avoidance & Minimization Measures, Best Management Practices, and Mitigation Measures

Avoidance and minimization measures, best management practices, and proposed mitigation measures are discussed in detail within each section of Chapter 3, Environmental Setting, Impacts, and Mitigation Measures. Chapter 6, Best Management Practices and Mitigation Summary, provides a summary of all avoidance and minimization measures, best management practices proposed, and any mitigation proposed for the project. That chapter is organized by resource, for ease of review, and is included to help the public, reviewing agencies, and Caltrans to keep track of the proposed commitments for this large project.

Many avoidance and minimization measures were incorporated into the project design to reduce the level of impact to resources found within the project area. Best management practices have also been incorporated into the project design to minimize impacts and to expedite the permit process. Mitigation would offset substantial impacts to sensitive resources that would result from the project. For some resources, such as wetlands, mitigation would be done even though a substantial impact to wetland resources would not occur. This is because of permit requirements by the U.S. Army Corps of Engineers, under the Clean Water Act, that requires a "no net loss" of wetland resources to result from a proposed project.

Permits

Potential permits needed for this project include the following:

- 1601 Streambed Alteration Agreement
  California Department of Fish and Game
- Section 401 Water Quality Certification
  California Regional Water Quality Control Board
- Section 404 Individual Permit
  United States Army Corps of Engineers
- Section 402 National Pollution Discharge Elimination System Permit
  California Regional Water Quality Control Board

The National Environmental Policy Act/404 Memorandum of Understanding (NEPA 404 MOU) process is being conducted for this project. Many informal consultations through meetings and field reviews with representatives of the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, and the U.S. Environmental Protection Agency were conducted to help shape this project. These agencies have formally concurred with the purpose and need statement and the reasonable range of alternatives to study for this project. This early and frequent coordination, a cornerstone of this process, has resulted in the reduction of many potentially significant environmental impacts.

Review and Comment

When reviewing and commenting on this document, one may no preference at all or have reason(s) to state a preference of one build alternative over another. It is acceptable to comment on only one or two sections of the project but please state that in the other sections you have no preference over the remaining build alternatives in the remaining section. Below are three examples of how the selection of a preferred alternative would be written in a comment. When choosing the build alternatives for the project there are many combinations that one may prefer. Please remember that all of the build alternatives are interchangeable between sections, and reviewers must choose one of the build alternative options per section or the no-build alternative (for the entire project).

***Example #1**: After reviewing the document I, Mr. Jones, prefer that the following alternatives be built for this project; Estrella Section, Alternative 8N; Shandon Section, Alternative 1; Cholame Section, Alternative 1; and Wye Section, Alternative 8.*

***Example #2**: After reviewing the document I, Mr. Jones, prefer that the following alternatives be built for this project; Estrella Section, Alternative 9N, Shandon Section, No Preference; Cholame Section, Alternative 2; and Wye Section, Alternative 5.*

***Example #3**: After reviewing the document I, Mr. Jones, prefer that the no-build alternative be selected for this project.*

The no-build alternative provides the basis for comparison of the improvement alternatives. Under this alternative, no improvements would be made to the existing two-lane highway. Chapter 2 describes the alternatives and further explains their organization.